

split part shall not be considered as merchantable, nor deemed as of any value; all sound scantling which is square edged for half its length, and the bark not more than two inches wide, shall be merchantable; any Inspector or Inspectors who shall at any time hereafter inspect Saw Mill Lumber, by any rule or rules different from those prescribed in the clause foregoing. (unless authorized so to inspect by the parties for whom he or they may be inspecting) shall forfeit the sum of fifty dollars, one half to the informer or person suing for the same, and the other half to the county where such forfeiture shall be incurred: *Provided*, That nothing herein contained shall affect any contract heretofore made for Lumber deliverable at Wilmington. A. D. 1821.  
Proviso.

II. *And be it further enacted by the authority aforesaid* That no refuse staves or heading which shall, after the first of February next, be inspected under the inspection laws now in force in this state, shall be shipped on board any ship or vessel under the penalty of twenty-five dollars per thousand for any staves being refuse, shipped contrary to the provisions of this act, and that any shipper or shippers who shall put on board any ship or vessel, with intent to export the same, any staves or heading, which upon inspection shall have been deemed refuse, such shipper or shippers shall be liable to the penalty in the clause prescribed, to be recovered before any jurisdiction having cognizance thereof, one half to the person suing for the same, the other half to the wardens of the poor of the county, whence such staves or heading may have been shipped. *Provided nevertheless*, That if the shipper or shippers of any refuse staves or heading shall make compensation to the seller or sellers of said refuse staves or heading, or obtain his or their consent to their being shipped on board said ship or vessel, then and in that case, the shipper or shippers of such ship or vessel shall be fully authorized, and are hereby empowered to receive said refuse staves or heading on board his or their ship or vessel without incurring the penalty aforesaid. Penalty for shipping refuse staves or heading.  
Proviso.

III. *And be it further enacted*, That should any person, who is not a legal Inspector of Lumber, presume to act as such, or as counter thereof, and receive pay for the same, either from the buyer or the seller, such person shall be deemed guilty of a misdemeanor, and on legal conviction thereof, before any competent jurisdiction, shall be fined the sum of one hundred dollars, one half to the use of the county where such offence may be committed, and the other half to the use of the informer. Penalty for any person, who is not an inspector, acting as such.

IV. *Be it further enacted*, That this act shall extend only to shippers and freighters on the Cape-Fear river, and the several ports belonging to the same.

#### CHAP. XVII.

An act to promote the administration of Justice.

*Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same*, That from and after the passing of this act, it shall be lawful